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DOCKET NO. ASP-19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter Zhu et al.

Serial No.: 09/810,889

Art Unit: 1743

Filed : March 16, 2001

Examiner: L.I. Cross

For : MBTH FOR ALIPHATIC ALDEHYDE MEASUREMENT

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January 10, 2005

(Date of Deposit)

Andrew C. Farmer

(Name of applicant, assignee, or Registered Representative)

(Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

Presently, claims 1 to 13 and 34 to 38 are pending in the application. Claims 1 to 8, 10, 11, 13 and 34 to 38 stand rejected under 35 U.S.C. §103 (a) over Opp US Patent No. 4,471,055, and Iannacone et al. US Patent No. 3,645,696. Claims 9 and 12 stand objected to. Applicants respectfully traverse the rejection and request reconsideration and re-examination of the application.

The Examiner has rejected claims 1 to 8, 10, 11, 13, 34 and 35 under 35 U.S.C. §103 (a) over the Opp US Patent No. 4,471,055, Iannacone et al. US Patent No. 3,645,696 and an alleged admission of prior art in Applicant's specification at page 1, lines 10 to 28. Opp teaches a method for determining the concentration of an aldehyde. However, the method taught by Opp

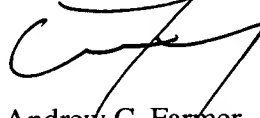
differs significantly from the presently claimed invention. Opp reacts a first reactant with the aldehyde to produce a color. Opp then reacts any remaining aldehyde with a second reactant to produce a second color. In contrast, the present invention provides for reacting not remaining aldehyde with a second reactant but rather any excess of the first reactant, MBTH, that was not consumed during the first reaction. Iannacone et al. provides a system for the detection of ethylene glycol by oxidizing any ethylene glycol present to formaldehyde and then detecting the presence of formaldehyde by reacting it with MBTH to produce a color change in a simple one reactant system.

There is no suggestion for combining Opp and Iannacone et al. Even if combined, it would at best lead one of skill in the art to react MBTH with an aldehyde and then react any remaining aldehyde with a second reactant to produce a second color. However, the present invention rather than reacting in excess of the test aldehyde for the second color reacts the excess of the first reactant. There is no suggestion for such a system. The limitation of using an excess of the second reactant to produce the color change is lacking from the cited references. Accordingly, Applicants respectfully submit that the claimed invention patentably defines over the cited art.

The Examiner has indicated that claims 9 and 12 would be allowable if rewritten into independent form. They were presented in independent form with the Response mailed July 13, 2004.

Applicants respectfully submit that the application is now in condition for allowance and request favorable reconsideration and early notice of allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew C. Farmer', written over a horizontal line.

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DATE: January 10, 2005